

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

No.

1:13-cr-105

vs.

Hon.

Janet T. Neff
U.S. District Judge

THOMAS N. VERHAGE,
JAMES D. ORR and
EUGENE A. BIEGERT,

FELONY INFORMATION

Defendants.

The United States Attorney charges:

COUNT I

(CAUSING DRUGS HELD FOR SALE TO BE MISBRANDED
AFTER SHIPMENT IN INTERSTATE COMMERCE)

From at least 2006 and continuing through 2009, in the Southern Division of the Western District of Michigan, the defendant,

THOMAS N. VERHAGE,

with the intent to defraud and mislead, did perform and cause to be performed certain acts with respect to drugs, while such drugs were held for sale after shipment in interstate commerce, which resulted in the drugs being misbranded, to wit: the defendant returned and supervised the return of previously dispensed drugs to manufacturer stock bottles resulting in the co-mingling of such previously dispensed drugs with drugs that had never been dispensed, thereby causing the stock bottles to bear false and misleading labeling in that the lot number and expiration date required by law to appear on the labels of the stock bottles did not accurately reflect the lot number and expiration date of all the drugs contained within the stock bottles, in violation of Title 21, United States Code, Sections 331(k), 333(a)(2), and 352(a).

COUNT II

**(CAUSING DRUGS HELD FOR SALE TO BE MISBRANDED
AFTER SHIPMENT IN INTERSTATE COMMERCE)**

From at least 2006 and continuing through 2009, in the Southern Division of the Western District of Michigan, the defendant,

JAMES D. ORR,

with the intent to defraud and mislead, did perform and cause to be performed certain acts with respect to drugs, while such drugs were held for sale after shipment in interstate commerce, which resulted in the drugs being misbranded, to wit: the defendant returned and supervised the return of previously dispensed drugs to manufacturer stock bottles resulting in the co-mingling of such previously dispensed drugs with drugs that had never been dispensed, thereby causing the stock bottles to bear false and misleading labeling in that the lot number and expiration date required by law to appear on the labels of the stock bottles did not accurately reflect the lot number and expiration date of all the drugs contained within the stock bottles, in violation of Title 21, United States Code, Sections 331(k), 333(a)(2), and 352(a).

COUNT III

**CAUSING DRUGS HELD FOR SALE TO BE MISBRANDED
AFTER SHIPMENT IN INTERSTATE COMMERCE**


From at least March 2007 and continuing through 2009, in the Southern Division of the Western District of Michigan, the defendant,

EUGENE A. BIEGERT,

with the intent to defraud and mislead, did perform and cause to be performed certain acts with respect to drugs, while such drugs were held for sale after shipment in interstate commerce, which resulted in the drugs being misbranded, to wit: the defendant returned and supervised the return of previously dispensed drugs to manufacturer stock bottles resulting in the co-mingling of such previously dispensed drugs with drugs that had never been dispensed, thereby causing the stock bottles to bear false and misleading labeling in that the lot number and expiration date required by law to appear on the labels of the stock bottles did not accurately reflect the lot number and expiration date of all the drugs contained within the stock bottles, in violation of Title 21, United States Code, Sections 331(k), 333(a)(2), and 352(a).

PATRICK A. MILES, Jr.
United States Attorney

Date: 6/4/13


RAYMOND E. BECKERING III
Assistant United States Attorney